

COLLEGE PAY POLICY – 2011-2012

1. INTRODUCTION

- 1.1 The Governing Body of the College will operate a Whole College Pay Policy as the 'relevant body', as defined in the School Teachers' Pay and Conditions Document, and for the pay arrangements agreed for all the support staff which will:
- grade posts appropriately within the conditions of employment identified in the current STPC Document and the conditions of service for support staff of the College
 - take into account pay relativities between posts within the College
 - ensure that the annual assessment of all teachers, including part time teachers, any instructors, members of the leadership group, and the annual performance review of the Principal's salary, is fairly and properly conducted as soon as possible and by 31st October 2011 at the latest; 31st December 2011 for the Principal.
 - Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will give the required written statement of notification as soon as possible and no later than one month after the date of the determination.
 - ensure that discretion available under the STPC Document is exercised in a fair and equitable manner for awarding points for experience, and for special education needs allowances and for Teaching and Learning Responsibilities payments.
 - give recognition to assigned increased responsibility for Teaching and Learning Responsibilities, whether on a permanent or acting basis.
 - take into account, as far as is practicable, pay levels in other schools, particularly those of a similar type and in a similar neighbourhood, and in near proximity.
- 1.2 This policy statement will be available to the staff of the College.

2. DELEGATION OF COLLEGE DECISION MAKING

2.1 Principal

- 2.1.1 Except where otherwise stated, the Governing Body, having determined the policy as set out below, will delegate the day to day management of the policy to the Principal in consultation with the Chair of Governors. The Principal will report to the Governing Body those occasions when the delegated responsibility has been exercised in respect of the discretionary elements of the current STPC Document and the pay provisions for support staff.
- 2.1.2 The Principal, in accordance with this policy, shall make annual recommendations on the salary of all staff to the appropriate committee of Governors.
- 2.1.3 The Governing Body requires that the Principal in exercising the delegated responsibilities has appropriate regard to the budget approved by the Governing Body and the requirements of employment legislation, particularly [The Equality Act 2010 which updates and replaces discrimination legislation](#), [The Employment Rights Act 1996](#), [The Employment Relations Act 1999](#) and

[The Employment Act 2002, as well as The Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000, The ACAS Code of Practice \(section 199 of the Trade Union and Labour Relations \(Consolidation\) Act 1992, and The Fixed Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002.](#)

2. DELEGATION OF DECISION MAKING (CONT/D)

The Governing Body expects the Principal to seek appropriate advice from persons engaged by the Governing Body to provide such advice.

2.2 An appropriate committee structure

2.2.1 The Governing Body will delegate to a committee of governors, hereafter referred to as the "**Personnel Committee**", decisions arising out of this policy or the performance management policy. The number of governors on the committee shall normally be 5 of which at least 3 governors shall sit in rotation. No member of the review appeals committee, referred to below, will be a member of the review committee. No governor who is employed at the College may be a member of the review committee or the review appeals committee.

2.2.2 The Governing Body will delegate to a committee of Governors, hereafter referred to as the '**Appeals Committee**', any appeals by individual members of staff against decisions of the committee in 2.2.1 arising out of this policy or the performance management policy. The number of governors on the committee shall normally be 13 of which at least 7 governors shall sit in rotation. Any appeal will be dealt with before a final decision is reported to the Governing Body.

2.3 Review of decisions

2.3.1 If a member of staff, including the Principal, wishes to have a review of any decision that affects his/her performance review and/or his/her pay s/he shall, within 5 working days of being given the written statement of the assessment, make a written request to the decision maker of the decision about which the employee is seeking a review as appropriate, for a formal written statement of reasons for the decision which s/he wishes to have reviewed.

2.3.2 The written statement of reason will be provided to the employee within 5 further working days by the decision maker as appropriate. If, having considered the statement of reason the employee still wishes for a review of the decision s/he shall submit written grounds for seeking a review to the review committee within 5 working days of receipt of the written statement of reasons. The reason for a review will be one or more of the following:-

That the decision -

- incorrectly applied any provision of the appropriate salary and/or performance management document;
- in the case of a teacher, failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the member of staff.

2.3.3 The chair of Personnel Committee will, normally within 10 working days of receipt of the written application for a review, make arrangements for the member of staff to make representations in person to Personnel Committee regarding the reasons for the written application. The member of staff may be accompanied at that meeting by a workplace colleague or representative of his/her trade union and Personnel Committee may also have an adviser

present to advise the committee. Personnel Committee may also ask the Principal (or in the case of the request for a review coming from the Principal, the Chair of Governors or a representative of the governors referred to in 2.8.1 above) to be present and to comment on the reasons for the application for the review. The decision of Personnel Committee will be provided to the member of staff in writing as soon after the review as possible. The member of staff will be advised that s/he has the right of appeal against the review decision.

2.3.4 The procedure to be followed for the review hearing is attached at Annex 1 of this policy.

2.4 **Appeals against salary or performance management decisions**

If the member of staff decides to appeal against the reviewed determination then the member of staff shall, within 5 days of receipt of the reviewed determination, notify the Clerk to the Governors in writing of the appeal and the reasons for it. The Clerk to the Governors will arrange, normally within 20 working days of the receipt of the written notice of appeal, giving at least 5 working days notice, a meeting of the Appeals Committee of the governing body. The member of staff will be entitled to attend and the procedure to be followed for the appeal is attached at Annex 2 of this policy. The decision of the Appeals Committee delegated to deal with appeals shall be final. Once any appeal has been resolved the final decisions regarding the assessment of salaries or performance management of staff shall be reported to the Governing Body.

2.5 **Threshold Application**

A teacher who is first on point 6 of the main scale on 1st September 2011 may apply to the Governing Body through the Principal to go through the threshold and to be paid on the upper pay spine from September 2012. The application should be made in writing to the Principal by 1 October 2012.*

A teacher who has been on M6 for at least one year by 1st September 2011 must have made an application by 31st October 2011 if payment is to be made from September 2011.

The Principal shall inform Personnel Committee of the outcome as soon as possible after the closing date has passed and inform the teacher within at least 20 working days follow the decision provided to Personnel Committee. The teacher shall be given a salary assessment form indicating his/her salary position following the outcome of the application. The Principal shall provide oral feedback on each standard, or in the case of unsuccessful application, in writing on the original application form. Feedback shall also include advice on aspects of performance that would benefit from further development.

2.6 **Reviews and Appeals against any Threshold Application decision**

2.6.1 A teacher may seek a formal review of the decision by the Principal by submitting a request in writing together with reasons for a review as identified in clause 2.3 of this policy. The Principal will make arrangements, normally within 10 working dates of the written application for a review, to meet with the member of staff who may be accompanied by a workplace colleague or representative of his/her trade union. The outcome of the review shall be provided in writing together with notification of the right of appeal.

2.6.2 If the member of staff decides to exercise his/her right to have the Threshold determination reviewed or to appeal against the determination it shall be in accordance with clause 2.4 of this policy and the reasons for review in 2.3 of this policy.

2.7 The Chair of Governors

2.7.1 The Chair of Governors will be available to the Principal for consultation on those matters of this policy delegated to the Principal. In this instance the Chair of Governors may not be a member of review or appeals panels.

* - *The national guidance is that the application can be made up to 31st October 2012 but since this is the date by which a decision about pay must be made so that it can be backdated to 1st September, EPM advises that an earlier date is identified between 1st September and 31st October to give time for the assessment to be undertaken.*

2.8 The Performance Management Governors for the Principal's Performance Review

2.8.1 The Governing Body will delegate two or three governors, none of whom shall be employees of the school, to carry out the performance management review for the Principal as set out in this policy and the College's performance management policy. The delegated governors will be advised by the School Improvement Partner (SIP). The agreed performance objectives and indicators/measures will be referred for moderation to a meeting of the moderation committee or the chair of governors.

2.8.2 It is the stated wish of the Governing Body that the delegated governors shall avail themselves of appropriate training.

3. EXERCISE OF DISCRETION UNDER THE STPC DOCUMENT

3.1 Starting salary of new classroom teacher appointments on the Main Pay Scale.

3.1.1 The Governing Body will pay those points, which are mandatory for experience.

3.1.2 Where the Principal regards a newly appointed teacher has non-teaching experience not dealt with under this policy which is directly relevant to the post to which s/he has just been appointed then points will be awarded on the basis of one point for each complete year of the experience.

3.1.3 Where the Principal regards the newly appointed teacher has experience not dealt with under this policy which is of value to the post to which s/he has just been appointed, then points will be awarded on the basis of one point for each complete 3 years of the experience. The Principal will round up to the next point where the experience is less than the complete years, but more than 6 months.

3.1.4 The maximum number of points the Governing Body will award for non-teaching experience will not exceed 2 points.

3.1.5 The Principal will provide a statement for the Governors of the direct relevance and/or the value of the experience for which additional points have been awarded together with the number of points awarded.

3.2 Calculation of Part Time Teachers' salaries

3.2.1 The Governing Body will ensure that all part time teachers employed in the College will have their salaries calculated in accordance with the STPC Document and the "pro rata principle".

3.2.2 The Governing Body will ensure that the total amount of time for which a part time teacher may be directed by the Principal is calculated in accordance with the STPC Document and the “pro rata principle”.

3.2.3 All part time teachers will be advised of the way in which their salary and directed time are calculated.

3.3 Recruitment Incentives

3.3.1 The Governing Body may decide to have a policy with regard to any payment of recruitment incentives or benefits in accordance with paragraph 50 of the STPC Document 2011.

3.3.2 Where such a policy is adopted by the Governing Body it will be made known to the staff and become a separate annex to this policy.

3.4 Staffing Structure

3.4.1 The Principal will annually recommend to the Governing Body a teaching staff structure for the College that:

- takes account of any financial limits determined by the Governing Body;
- identifies the posts to which allowances will be allocated for Teaching and Learning Responsibilities (TLR) in accordance with the requirements of the STPC Document on a permanent basis;
- identifies the level of allowance to be allocated to each TLR post in the attached staffing structure in accordance with the STPC Document;
- identifies posts to be paid on the Leadership Group pay scale together with the range of salary points assigned to each post
- identifies any Advanced Skills Teacher posts together with the range of salary points on the Leadership Group pay scale assigned to the post
- identifies any Excellent Teacher posts to be identified in the staffing structure
- identifies any post to which a salary from the Special Educational Needs range of salaries will be allocated together with the level of each allowance to be paid
- identifies the staffing structure for support staff posts together with the evaluated salary scale assigned to each post

The staffing structure approved by the Governing Body shall be published with this pay policy

3.4.2 In the event that the recommendation contains changes in the staffing structure the recognised trade unions will be informed and consulted before the final salary structure is published.

3.5 Special Educational Needs

3.5.1 The Governing Body will award an allowance to any teacher who satisfies the statutory requirement of the STPC Document 2011, paragraph 25.

3.5.2 The post and allowance(s) will be identified in the staffing structure and will be spot salaries selected from the SEN range. The value of allowances should be based on whether any mandatory qualifications are required, other qualifications and expertise relevant for the post and the relative demands of the post.

3.6 Awards for performance to teachers paid on the classroom teachers' pay spine

3.6.1 At the time of the annual assessment of teachers' salaries referred to in paragraph 5 of this policy, the review committee will consider recommendations from the Principal that any teacher, paid on the classroom teachers' pay spine below point M6, be paid an additional increment for outstanding performance.

3.6.2 Any recommendations made by the Principal shall be in respect of the excellence of the teacher's performance during the previous year across all aspects of the teacher's professional duties, having regard to his/her performance review under the College's performance management policy with particular reference to classroom performance but also having regard to his/her overall contribution to the College.

3.7 Awards for performance to teachers paid on the upper pay spine (i.e. teachers having passed through the threshold assessment)

3.7.1 At the time of the annual assessment of teachers' salaries referred to in this policy, the review committee will consider recommendations presented to it from the Principal either on his/her own behalf or on that of the review manager that any teacher, who has passed through the threshold assessment and is paid on the upper pay spine for classroom teachers, be paid an additional point on the pay spine subject to the maximum of the pay spine.

3.7.2 Any recommendation will be based on the performance of the teacher in accordance with the Performance Management policy of the College. The review committee will not normally consider a recommendation in respect of a teacher on the upper pay spine who has been on his/her current point for less than 2 years. Any award will not exceed one additional point in any annual review.

3.7.3 Any recommendation will be based on the substantial and sustained performance of the teacher in accordance with the criteria in the STPC Document and the Performance Management policy of the College. Before the Principal decides whether or not to make a recommendation to the review committee, the Governing Body will expect that the Principal will have had due regard to the guidance in paragraph 57 to 59 of Section 3 of the STPC Document 2011 clarifying criteria for progression on the appropriate teacher's scale. This clarification shall also be made available to all teachers.

3.7.4 Where a teacher has been absent through long term illness or on maternity leave the Principal will ensure that the requirements of the STPC Document are complied with by ensuring that a performance review has been conducted. In the event that a review cannot be conducted until the teacher returns to College the Principal will conduct a review at such time following the teacher's return to College to enable a proper and reasonable assessment to be made and in the event that the Principal's recommendation is to progress the teacher to the next point on the upper pay spine the award may be back dated to the September from when the entitlement to be considered for progress was achieved.

4. THE LEADERSHIP GROUP

4.1 Vice and Assistant Principals

4.1.1 The Governing Body, following consideration of the relevant criteria set out in the STPC Document, will determine the individual range for a newly appointed Vice Principal or Assistant Principal's salary.

- 4.1.2 At the time of appointing a new Vice Principal or Assistant Principal the selection panel of the Governing Body to make the new appointment, shall determine the salary point on the individual range to be paid. The point to which the teacher is appointed on the individual range shall not exceed the third point. The selection panel shall have regard to advice available from persons engaged by the Governing Body.

4.2 Awards for performance to Vice and Assistant Principals

- 4.2.1 At the time of the annual assessment of teachers' salaries referred to in paragraph 5 of this policy, Personnel Committee will consider recommendations from the Principal that any Vice or Assistant Principal be paid up to two additional points subject to the maximum of the individual range. The Governing Body expects that the objectives which were set for a Vice or Assistant Principal under the performance management policy will have become progressively more challenging as the teacher has gained experience in his/her current role.
- 4.2.2 Where it considers it has substantial difficulties in retaining the services of a current Vice or Assistant Principal the Governing Body may decide to change the salary range of a deputy or assistant Principal in accordance with the STPC Document in order to retain his/her services. The Vice or Assistant Principal's salary cannot be placed on the new range, except at the minimum point, until the September following the determination of a changed range.

5. Advanced Skills Teacher (AST) and Excellent Teachers

5.1 Advanced Skills Teacher

- 5.1.1 The Governing Body may decide to include an AST post in the staffing structure where it receives a recommendation from the Principal to consider such a post. The AST post must comply with the requirements of the STPC Document.
- 5.1.2 Where an AST is appointed the review committee shall select a 5 point range of salaries from the scale designated for ASTs. A newly appointed AST shall be appointed to the minimum of the chosen range.
- 5.1.3 Performance objectives will be set with the AST and performance reviewed against those objectives in accordance with the performance management policy.
- 5.1.4 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, Personnel Committee will consider recommendations from the Principal that any AST be paid up to two additional points subject to the maximum of the individual range.

5.2 Excellent Teacher

- 5.2 The Governing Body may decide to include an Excellent Teacher post in the staffing structure where it receives a recommendation from the Principal to consider such an appointment. The Excellent Teacher post must comply with the requirements of the STPC Document and the teacher appointed will be paid on a spot salary selected from within a range set out in the STPC Document.
- 5.3 Where any re-determination of an Excellent Teacher's salary results in a lower salary the salary will be safeguarded from the re-determination for a period up to 3 years subject to the provisions of the STPC Document.

6. ANNUAL ASSESSMENT OF THE SALARY OF TEACHERS

6.1 Service not considered satisfactory

6.1.1 At the time of making the annual assessment of teachers' salaries, or separately if requested by the Governing Body, the Principal may make a recommendation to Personnel Committee regarding any classroom teacher paid on the Main Scale whose performance has not been considered wholly satisfactory. Such a recommendation can only apply to a teacher who has not yet reached point M6 on the scale.

6.1.2 The Principal shall only make a recommendation regarding a teacher if s/he has been subject to the formal disciplinary procedures determined by the Governing Body for use in the College. The teacher must have been made aware by the Principal of his/her intention to make such a recommendation as part of the formal process conducted under the disciplinary procedures. [The teacher will, therefore, have had a right of appeal against such a recommendation under the disciplinary procedures and there will be **no** further right of appeal to the review appeal committee against this recommendation of the Principal].

6.2 Annual assessments

6.2.1 On or before 1st September of each year, or as soon as possible thereafter, the Principal will carry out an annual assessment of salary for each teacher, including Vice and Assistant Principals, Excellent Teachers and ASTs employed in the College. Each teacher will be informed in writing of the recommended salary for the September of the new academic year including any award with regard to the annual performance review conducted in accordance with the College's performance management policy. The Principal will inform each teacher of the proposed salary before making the recommendation to the review committee. Any written comment from the teacher, will be presented to Personnel Committee with the recommendation of the Principal.

6.2.2 When Personnel Committee has considered the recommendations from the Principal for all teachers employed at the College and any comment from any individual teacher, its decision will be provided in writing, by 31st October at the latest, to each teacher on the appropriate teacher salary assessment form. The salary assessment form will give information on each relevant aspect of the teacher's salary on which the Governing Body has discretion under this policy. All salary decisions will have been completed by 31st October at the latest to be backdated to the 1st September.

7. DETERMINATION OF LEADERSHIP GROUP SALARIES

7.1 Group of the College; Individual College Range (ISR) and salary ranges for other members of the leadership group

7.1.1 For the purposes of determining the group of the College by which the ISR for the Principal is identified, the Governing Body will re-calculate annually the appropriate unit total of the College.

7.1.2 The Governing Body will assign the College to the appropriate Principal group (HTG) whenever a new Principal is to be appointed and on such occasions as the Governing Body sees fit. The Principal may make representations to Personnel Committee to consider assigning the College to a new Principal group. The College must be assigned to its appropriate group not more than three years after the College was last assigned to a Principal group.

- 7.1.3 If, having re-calculated the unit total of the College at a higher group in accordance with the STPC Document, the Governing Body sees fit to change the group of the College the Governors will identify an ISR which will ensure that the minimum of the ISR is not below the minimum of the salary range for the Principal group.
- 7.1.4 When a new Principal is appointed, when the HTG is changed as in 7.1.2 above, or when a deputy or assistant Principal range is set which equals or exceeds the minimum of the current ISR the Governing Body, in accordance with the STPC Document, will re-determine an ISR on which the Principal's salary will be paid, according to the size and circumstances of the College. The ISR of the College shall be a range of 7 consecutive salary points within the HTG range for the College.
- 7.1.5 The selection committee, set up to appoint a new Principal, shall determine the salary point on the ISR to be paid. A newly appointed Principal may not be appointed at a point higher than the fourth point on the ISR. The selection panel shall have regard to advice available from persons engaged by the Governing Body.
- 7.1.6 In the event that the Governing Body agrees to the College's Principal also being made the Principal of another College either on a permanent or temporary basis, the Principal's salary will be determined in accordance with STPC Document 2011 (paragraph 12.2.4).
- 7.1.7 Where such a decision is made then the Governing Body will also review the salary ranges of any other members of staff affected by the arrangement in accordance with STPC Document 2011, paragraph 49.1(d). Where such arrangements for the Principal or other members of staff are temporary the safeguarding provisions will not apply.
- 7.1.8 The salary ranges for a Vice or Assistant Principal shall be determined with reference to the College's ISR and the highest paid classroom teacher as defined by the STPC Document.

7.2 Annual Review of Principals' salary

- 7.2.1 At the beginning of each academic year, or at any such time as the Governing Body, in consultation with the Principal may decide, the reviewer governors referred to in 2.8 will agree with the Principal, or, in the absence of agreement, set performance objectives together with performance indicators/measures appropriate to each objective. The performance objectives will reflect priorities identified in the College's development plan.
- 7.2.2 The adviser appointed by the College will support the reviewer governors in carrying out the annual performance review of the Principal. The performance review and review statement will be conducted in accordance with the College's Performance Management policy.
- 7.2.3 In the autumn term of each year, (or where determined differently by the Governing Body as referred to in 7.2.1 above, in the half term immediately prior to the anniversary of the setting of the performance criteria), Personnel Committee will receive recommendations from the reviewer governors (having consulted the Chair of Governors, if s/he is not a reviewer governor) about the salary of the Principal. The recommendation shall reflect the reviewer governors' views based on the outcomes of the annual performance review and the Chair of Governor's view of the Principal's overall performance during the year. Any recommendation for movement up the ISR, on which the Principal is currently paid, may be by up to two points in

any one annual review. The Principal will be advised of the proposed recommendation and may make a written response to the recommendation.

7.2.4 The recommendation for the Principal will be made in a written statement to Personnel Committee, giving reasons for the recommendation and the level of salary that it is recommended should be paid from 1st September. This will either be at the current point on the ISR or up to two points higher subject to the maximum of the ISR. Personnel Committee will consider the recommendation together with any written response from the Principal to the recommendation and make its decision known to the Principal in writing on the salary assessment form by 31st December at the latest, to be backdated to 1st September. The Principal will not attend the meeting of Personnel Committee.

7.2.5 If the Principal wishes to seek a review of the decision of Personnel Committee regarding his/her pay, s/he may do so in accordance with the procedure set out in paragraph 2.3 of this policy. The Principal will have right of appeal against the decision of the review committee in accordance with the procedure set out in paragraph 2.4 of this policy.

7.3 Determination of Discretionary payments to head teachers (This paragraph to apply to any decision made from 1st September 2011)

7.3.1 The Governing Body may decide to pay additional payments to the head teacher in accordance with paragraphs 12.4 to 12.6 of the STPC Document 2011.

7.3.2 Where a decision is made to increase the ISR beyond the maximum of the appropriate HT Group determined in accordance with paragraph 7 above, the total sum of all payments made to the head teacher referred to in 7.3.1 will not exceed 25 per cent of the previous salary being paid on the current point on the ISR.

7.3.3 In the event that it is considered there are wholly exceptional circumstances which make it necessary to exceed the provision set out in 7.3.2 above then the Governing Body will take external independent advice in accordance with paragraph 39 of Section 3 of the STPC Document 2011 before agreeing to such a decision.

7.4 Acting Allowances for an acting Principal, acting Vice Principal, acting Assistant Principal or a teacher acting up in a TLR post

7.4.1 In the prolonged absence of the Principal, a Vice Principal, an Assistant Principal or a TLR post holder, the Governing Body may appoint a teacher to act up during the absence of the post holder. From the date that the Governing Body considers it necessary to make an acting appointment the Governing Body will pay an allowance equal to the difference between the salary currently paid to the person appointed to act up and a point considered appropriate by the Governing Body on the ISR for the Principal or the range of salaries for the deputy or assistant Principal or the level of TLR in question. The STPC conditions of employment for a Principal, deputy or assistant Principal will also apply to any person in receipt of such an acting allowance.

7.4.2 If, during any absence of the Principal, Vice or Assistant Principal or a TLR post holder, the acting appointment is made and maintained for a period then the Governing Body will consider within four weeks of the acting appointment whether or not the teacher shall be paid an acting allowance calculated in accordance with 7.4.1 above. If no allowance is paid the Governing Body may reconsider the position at any time.

8. ADDITIONAL PAYMENTS FOR TEACHING STAFF (OPTIONAL PARAGRAPH)

- 8.1 In the event that the Principal, following consultation with the teacher(s) affected, or the Chair of Governors following consultation with the Principal, decides to request teachers or Principal to undertake
- CPD undertaken outside of the College day
 - Activities relating to the provision of ITT as part of the ordinary conduct of the College day, or
 - Out of College hours learning activities,
- then payments as below will be made to teachers/Principal agreeing to participate in such activities.
- 8.2 The daily rate payable to each individual teacher/Principal undertaking such CPD or ITT activities and entitled to such a payment will be determined by the governing body. Periods of less than a day will be paid pro rata.
- 8.3 Where additional responsibilities and activities are undertaken by a member of staff resulting from the Principal having responsibility for more than one College, as provided for in paragraph 7.1.7 of this policy, the salary review committee of the governing body will review the member of staff's salary to reflect the additional responsibilities and activities. The decision of the review committee will be reported to the next meeting of the governing body.

9. UNQUALIFIED TEACHERS

- 9.1 The Governing Body may employ unqualified teachers/instructors in the College, for as long as no suitably qualified teacher is available**, as provided for by Schedule 2 of the Education (Specified Work and Registration) (England) Regulations 2003. Such unqualified teachers will be paid in accordance with the STPC Document 2011.
- 9.1.1 For the academic year 2011-12 an unqualified teacher paid on point 1, 2, or 3 of the unqualified teacher pay scale will be paid an unconsolidated annual sum of £250, paid on a monthly basis.
- 9.2 The point on the new six point scale, as set out in paragraph 35 of the Document, at which a new appointment will be paid will be determined by the Principal, in consultation with the Chair of Governors, and will take account of the qualifications and experience considered to be relevant to the post to which the person is appointed. The pay determination will be no lower than the pay points to which the unqualified teacher is entitled under the STPC Document 2011.
- 9.3 In addition to the appropriate point on the unqualified teachers' pay spine the Principal, in consultation with the Chair of Governors, may award an additional annual allowance in accordance with paragraph 36 of the STPC Document 2010 to a person appointed as an unqualified teacher who either takes on a sustained additional responsibility or who s/he believes has additional qualifications and/or experience to warrant such an award. An additional annual allowance to increase the unqualified teacher's salary, as opposed to one for responsibility, may be such as to ensure a salary level in any year, of up to one equivalent to, but not more than, a qualified teacher with similar length of service would be paid.
- The Principal will report any award of such an allowance to the appropriate committee of the Governing Body.
- 9.4 The Governing Body, on the advice of the Principal may withhold an annual increment in similar circumstances as those identified in paragraph 6.1 of this policy.

- 9.5 The same safeguarding arrangements will apply to an unqualified teacher as to other teachers, i.e. if as a result of changes to the STPC Document, the College's pay policy or staffing structure of the College an unqualified teacher would be paid a lower salary his/her salary will be protected for a period up to 3 years from the date of the change subject to the provisions of the STPC Document.

*** Unless an unqualified teacher is engaged in a course leading to qualified teacher status s/he will be employed on a temporary basis pending the appointment of a qualified teacher. If a suitably qualified teacher becomes available for appointment the unqualified teacher employed on a temporary basis will be dismissed by reason of a statutory enactment.*

10. SALARIES OF SUPPORT STAFF

- 10.1 On appointing a member of the support staff the job description determined for the post to which the employee is to be appointed will be evaluated in accordance with and approved scheme. Advice will be sought from persons engaged by the Governing Body.

- 10.2 The Principal, in consultation with the Chair of Governors, will determine the appropriate point on the evaluated scale having regard to

- i) relevant qualifications and/or experience
- ii) recruitment/retention needs of the College in respect of the post

The decision of the Principal will be reported to Personnel Committee.

- 10.3 If at any time the Principal, in consultation with the Chair of Governors, considers that a member of the support staff is being asked to undertake, or has undertaken, increased or decreased responsibilities on a permanent or temporary basis, s/he shall refer the job description of the post, with the new responsibilities, to be evaluated. If the evaluation provides for a higher salary that salary will be paid to the post holder from a date determined by the Principal and, in the case of a temporary increase in responsibility, the date to which the new salary will be paid. In the event that the evaluation provides for a lower salary the employee will be entitled to salary safeguarding for a period in accordance with the Local Authority policy. The new salary level will be reported to the review committee at its next meeting.

- 10.4 At the time of making the annual assessment of the teachers' salaries the Principal may also make any recommendation to the review committee in respect of the salary of any member of the support staff. Where the Principal considers it appropriate s/he may recommend to the review committee that a named member(s) of the support staff shall be awarded an honorarium for the excellence of his/her performance during the previous year. The honorarium may either be paid as a lump sum payment at the first possible salary payment after the appropriate committee's decision, or as a 1/12 increase in monthly salary over the next year.

- 10.5 If any member of the support staff wishes to appeal against his/her salary level s/he may ask for a re-evaluation of the job description of the post to be undertaken. In the event that a member of the support staff wishes to appeal against a decision of Personnel Committee under paragraph 2.4 above, then s/he shall enter a formal written statement of appeal. The appeal shall be heard by the Appeals Committee referred to in paragraph 2.2.2 above.

11. SALARY SACRIFICE SCHEME

- 11.1 The Governing Body will support and encourage any salary sacrifice scheme as identified in the STPC Document and made available by the Local Authority or the College from which teachers or support staff employed in the College benefit where there is no additional cost to the College budget.*

12. **REVIEW OF THE POLICY**

12.1 The Governing Body will review this policy annually or on any occasion when it is requested to do so by the Principal.

12.2 The Governing Body will consult with the staff and the recognised trade unions at the time of the annual or any other review of the policy.

* Governing Bodies should be aware that there will be a cost when a member of staff in receipt of child care vouchers is on maternity leave and is no longer receiving contractual pay.

ANNEX 1 (*This procedure complies with the statutory guidance of the Secretary of State and has been amended to reflect best practice*)

PROCEDURE FOR A REVIEW OF A SALARY DETERMINATION OR A PERFORMANCE MANAGEMENT DECISION BY PERSONNEL COMMITTEE

1. Case for the employee

The employee, or representative:

- a) presents the employee's written application for the review.
- b) the members of the review committee may ask questions of the employee

2. The Chair of the Personnel Committee:

- a) explains the process and evidence used to come to the decision under review with reference to the written statement of reasons for the decision of the review committee previously provided to the employee.
- b) If Personnel Committee has asked the Principal (or a governor as referred to in Note 3 below) to be present at the hearing the Principal (or governor) may be asked questions by the members of Personnel Committee, and the employee or representative.

3. Summing up and withdrawal

- a) the employee, or representative, has the opportunity to sum up his/her case if s/he so wishes.
- b) all persons other than the members of Personnel Committee and the adviser (See Note 5 below), are then required to withdraw.

4. Personnel Committee decision

- a) Personnel Committee and the person who is advising, if other than the Principal or a governor, are to deliberate in private, only recalling other persons to clear points of uncertainty on evidence already given. Any recall will involve all persons involved in the earlier hearing.
- b) The chair of Personnel Committee will announce the decision of the review to the employee, which will be confirmed in writing within 5 working days.

- Notes:**
1. *For the purposes of the review, Personnel Committee and the employee will have the following documents:-*
 - *the written statement of reasons for the decision of Personnel Committee previously provided to the employee*
 - *the written statement of reasons for the application for the review from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).*
 - *any additional documents to be used at the review hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.*
 2. *For the purposes of the review, Personnel Committee may ask the Principal (or in accordance with note 3 below, a governor) to be present. In that event the Principal (or governor) may also be asked questions by the members of Personnel Committee and by the employee or his/her representative. The Principal (or governor) may not be involved in the decision of Personnel Committee.*
 3. *Where the Principal has asked for the review Personnel Committee may ask the Chair of Governors or a representative of the governors referred to in 2.8.1 above to be present.*
 4. *The employee may be represented by a representative of his/her trade union or a workplace colleague.*
 5. *Personnel Committee may have an adviser present to advise on fact and the law.*
 6. *The review is not an appeal against the decision.*

7. *Where an employee is seeking a review against a determination of the Threshold Application or a performance management decision of the Principal, the same procedure will be used with the Principal taking the role of Personnel Committee. The Principal may have an adviser present to advise on the law, procedure and merits of the case, who may not be an employee of the College.*

ANNEX 2 *(This procedure complies with the statutory guidance of the Secretary of State and has been amended to reflect best practice)*

PROCEDURE FOR AN APPEAL AGAINST A SALARY OR PERFORMANCE MANAGEMENT DETERMINATION TO THE REVIEW APPEAL COMMITTEE OF THE GOVERNING BODY

The Appeal of the employee

The employee, or representative,

- a) introduces the employee's written reasons for the appeal and the representative of Personnel Committee and then members of the Appeals Committee may ask questions of the employee
- b) may call witnesses, each of whom will have provided a written statement of the information s/he wishes to give, and each witness may be asked questions by the representative of Personnel Committee and then by the Appeals Committee

The response of the review committee

The representative of Personnel Committee

- a) explains the process and evidence used to come to the decision being appealed with reference to the written statement of reasons for the decision of Personnel Committee previously provided to the employee, and the employee or representative and then members of the Appeals Committee may ask questions of the representative of Personnel Committee.
- b) may call witnesses, who will have provided a written statement of the information they wish to give, and each witness may be asked questions by the employee or his/her representative and then by the Appeals Committee

3. Summing up and withdrawal

- a) the representative of Personnel Committee has the opportunity to sum up if s/he so wishes.
- b) the employee, or representative, has the opportunity to sum up his/her case if s/he so wishes.
- c) all persons other than the Appeals Committee and its adviser are then required to withdraw.

4. Appeals Committee decision

- a) the Appeals Committee and the person who is advising on law, procedure, and merits of the case (See Note 4 below) are to deliberate in private, only recalling the parties to clear points of uncertainty on evidence already given. Any recall must involve both parties
- b) the Chair of the Appeals Committee will announce the decision to the employee, which will be confirmed in writing

- Notes:**
1. *For the purposes of the appeal, the Appeals Committee will have the following documents:-*
 - *the written statement of reasons for the Personnel Committee decision previously provided to the employee*
 - *the written statement of reasons for the appeal from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).*
 - *any additional documents to be used at the appeal hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.*
 2. *For the purposes of the appeal, the Personnel Committee representative may call the Principal (or in accordance with note 3 below, a governor) as a witness for Personnel Committee. In that event the Principal (or governor) may be questioned as a witness.*

3. *Where the Principal has asked for the review the representative of Personnel Committee may call the Chair of Governors or one of the governors referred to in 2.8.1 above as a witness.*
4. *The Appeals Committee may appoint an adviser to advise on the law, procedure, and merits of the case who may not be an employee of the College.*
5. *The employee may be represented by a representative of his/her trade union or a workplace colleague.*
6. *Where an employee is appealing against a determination of the Threshold Application or a performance management decision the same procedure will be used with the Principal taking the role of the representative of Personnel Committee. The Principal may have an adviser present, as in Note 4 above, who may not be an employee of the College.*